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9 Attorneys for Defendants LVMPD, Smith and Huntsman

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 ROCHELLE SCOTT, individually and as Co-  
13 Special Administrator of the Estate of ROY  
14 ANTHONY SCOTT and FREDRICK WAID,  
15 as Co-Special Administrator of the Estate of  
16 ROY ANTHONY SCOTT,

17 Plaintiffs,

18 vs.

19 LAS VEGAS METROPOLITAN POLICE  
20 DEPARTMENT; KYLE SMITH,  
21 individually; THEODORE HUNTSMAN,  
22 individually and DOES 1-10, inclusive,

23 Defendants.

Case Number:  
2:20-cv-1872-RFB-EJY

**LVMPD DEFENDANTS'**  
**NOTICE OF APPEAL**

MARQUIS AURBACH

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Las Vegas, Nevada 89145

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1 Notice is hereby given that Defendants Las Vegas Metropolitan Police Department,  
2 Kyle Smith, and Theodore Huntsman, by and through their attorneys of record, Marquis  
3 Aurbach, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the  
4 Order [Granting in Part and Denying in Part Their Motion for Summary Judgment (ECF  
5 No. 32) entered in this action on March 14, 2023.

6 Dated this 29th day of March, 2023.

7 MARQUIS AURBACH

8 By s/Craig R. Anderson

Craig R. Anderson, Esq.  
Nevada Bar No. 6882  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Attorneys for Defendants LVMPD, Smith  
and Huntsman

12 **REPRESENTATION STATEMENT**

13 Defendants/Appellants: Las Vegas Metropolitan Police Department  
14 Kyle Smith  
Theodore Huntsman

15 Represented by: Craig R. Anderson, Esq.  
16 Marquis Aurbach  
10001 Park Run Drive  
17 Las Vegas, Nevada 89145  
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19 Plaintiffs/Appellees: Rochelle Scott  
20 Frederick Waid

21 Represented by: Peter Goldstein, Esq.  
22 Peter Goldstein Law  
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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing **LVMPD DEFENDANTS' NOTICE OF APPEAL** with the Clerk of the Court for the United States District Court by using the court's CM/ECF system on the 29th day of March, 2023.

☒ I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

☒ I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third-party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants: n/a

s/Leah Dell  
an employee of Marquis Aurbach

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